

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:06CV2

THEODORE R. ANDERSON,)	
)	
Plaintiff,)	
)	
Vs.)	
)	
JEFFREY R. DOBSON; GERALD)	
W. SODERQUIST; ROBERT W.)	
MIDDLETON; and ARTHUR D.)	
ACKERMAN,)	
)	
Defendants and Third-Party)	
Plaintiffs,)	
)	
Vs.)	<u>DECLARATORY</u>
)	<u>J U D G M E N T</u>
HALEAKALA RESEARCH AND)	
DEVELOPMENT, INC.,)	<u>AND</u>
)	<u>PERMANENT INJUNCTION</u>
)	
Third-Party Defendant.)	
_____)	

For the reasons set forth in the Memorandum and Order filed
herewith,

THE COURT HEREBY DECLARES that the Anderson Resolutions
were a valid and lawful exercise of Plaintiff's rights as majority stockholder
of SmartBand and subsequently as sole remaining director of SmartBand,

and that, pursuant to the Anderson Resolutions, the Defendants, as of September 19, 2005, were and are no longer directors, officers, employees or consultants of SmartBand.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Defendants are **PERMANENTLY ENJOINED** from taking any further actions with respect to or on behalf of SmartBand, or representing themselves as directors, officers, employees or consultants of SmartBand; from interfering with Plaintiff's grant applications, other business relationships, or any other use of Plaintiff's Patents; and Defendants shall turn over to Plaintiff all of SmartBand's books, records, accounts, intellectual property rights, and all other assets of any and every kind **FORTHWITH.**

Signed: August 24, 2007



Lacy H. Thornburg
United States District Judge

